

Report Date: May 14, 2009

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 14 2009

Petition for Warrant or Summons for Offender Under SupervisionJAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Robert William Showers

Case Number: 2:04CR00086-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 11/23/2004

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. §§ 922(g) and 924(a)(2)

Original Sentence: Prison - 22 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Ronald W. Skibbie

Date Supervision Commenced: 04/05/2007

Defense Attorney: Kathleen Moran

Date Supervision Expires: 04/04/2010

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- | | |
|---|---|
| 1 | <u>Mandatory Condition #2:</u> The defendant shall not commit another Federal, state, or local crime. |
| 2 | <u>Mandatory Condition #5:</u> The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. |

Supporting Evidence: On May 14, 2009, this officer was notified by the Spokane County Pretrial Services Office that the offender had been arrested on May 13, 2009, for first degree unlawful possession of a firearm.

The Spokane police report indicates an officer can testify that a crime was committed by the offender in the City and County of Spokane, Washington. The officer based this on the male victim being able to testify that on May 10, 2009, he had been in possession of a Jennings Nine 9mm pistol at his residence, located at 1502 E. Desmet, in Spokane, Washington. The pistol was in a backpack in the attic of his residence. Mr. Showers was at the 1502 Desmet residence on May 10, 2009, helping the victim install a lock on his bedroom door. The victim subsequently left the offender alone for a while upstairs in the residence. After Mr. Showers left the residence, the victim then discovered the pistol was missing. This victim

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went to 2208 E. Boone in Spokane, to speak with the offender about the missing gun. The victim left a note for Mr. Showers indicating that he wanted the gun back or wanted the money he received for selling the pistol. The victim did get the firearm back and showed the Spokane police officer (SPD), where he was currently hiding the weapon.

A female witness will testify that she knows Mr. Showers is a convicted felon. She was at the 2208 E. Boone address on May 11, 2009, and observed Mr. Showers being in possession of a silver pistol with black grips. The witness learned the pistol had been stolen and that Mr. Showers sold the pistol to a Mr. Daniels. The female witness took photographs of the pistol while it was at the 2208 E. Boone location. She also kept a note written by the victim that had been left for Mr. Showers.

Witness Daniels will testify that he bought a silver pistol with black handles from Mr. Showers for \$400 on May 11, 2009. Mr. Daniels learned from Mr. Smith that the pistol had been stolen. He gave the weapon to Mr. Smith to return to the owner/victim.

Witness Smith will testify he learned from the victim that his Jennings Nine pistol had been stolen out of his residence on May 10, 2009, by Mr. Showers. Knowing that Mr. Daniels purchased the stolen pistol from Mr. Shower on May 11, 2009, Mr. Smith contacted Mr. Daniels and obtained the pistol from Mr. Daniels to return to the victim.

Another SPD officer can testify that he responded to a fight call at 2208 E. Boone. The officer learned that Mr. Showers was a convicted felon and had been in possession of a stolen pistol on May 10 and May 11, 2009. This officer learned that Mr. Showers had sold the pistol to Mr. Daniels on May 11, 2009, for \$400. The victim and owner of the pistol had left a note for Mr. Showers at 2208 E. Boone, telling him to return the pistol or give him the money he received for selling the weapon. The officer interviewed Mr. Daniels who reported he had purchase a pistol from Mr. Showers on May 11, 2009, for \$400. Mr. Daniels learned later that day from Mr. Smith that the pistol had been stolen from the victim in this case. The officer was informed that Mr. Daniels had given the pistol to Mr. Smith who returned the pistol to the victim. When the officer interviewed the victim, he learned that Mr. Showers had stole the pistol from his backpack on May 10, 2009, while he was alone in the upstairs portion of the victim's residence at 1502 E. Desmet. The victim informed the officer that the pistol had been returned to him and that it was currently at his residence at 1502 E. Desmet. The officer accompanied the victim to the attic area of the residence and retrieved the pistol from under a layer of insulation. The officer saw that the pistol was a Jennings Nine, 9mm pistol, silver in color with black grips. The officer placed the pistol, note, and memory card on property as evidence. The officer ran a records check on Mr. Showers and learned that he had been convicted of second degree burglary on May 6, 1988. Mr. Showers was booked into the Spokane County Jail for first degree unlawful possession of a firearm.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 14, 2009

s/ Brenda J. Kuest

Brenda J. Kuest
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

5/14/09
Date